IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6302 OF 2006

Sunil Chandrakant Pandhare & ors ..Petitioners

V/s.

Sou.Chaya Chandrakant Pandhare & ors...Respondents

Mr.A.B.Avhad for the petitioners

CORAM : S.C.DHARMADHIKARI, J.

DATE : 15TH JUNE, 2007

P.C.

1. The order under challenge is an ad-interim order and Mr.A.B.Avhad, learned counsel appearing for the petitioners does not dispute that the main application preferred by the petitioners (Exh.41) is pending and not yet disposed off. In my view, merely because the Court below has directed that notice be issued to the decree holder does not mean that it has made up its mind either way. It would always be open for the petitioners to satisfy the Court that a case is made out for grant of relief

in his favour and I have no doubt in my mind that the rival contentions would be gone into and adjudicated on their own merits and according to law. Petition is dismissed.

(S.C.DHARMADHIKARI, J.)